

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
ALEXANDRIA DIVISION

PHILLIP ALBERT JOHNSON

CIVIL ACTION NO. 07-0920-A

-vs-

JUDGE DRELL

VENETIA MICHAELS, WARDEN

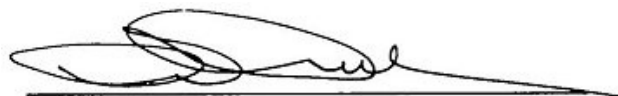
MAGISTRATE JUDGE KIRK

J U D G M E N T

For the reasons stated in the Report and Recommendation of the magistrate judge filed previously herein, and after an independent review of the record, including the objections filed by petitioner, and having determined that the findings and recommendation are correct under the applicable law;

IT IS ORDERED that this petition for writ of *habeas corpus* is DENIED AND DISMISSED WITH PREJUDICE as time-barred by the one-year limitation period codified at 28 U.S.C. § 2244(d). Further, the same A.E.D.P.A. limitation is constitutional. See, for example, *Tinker v. Moore*, 255 F.3d 1331 (11th Cir. 2001) [and cases cited therein], *cert. denied*, 534 U.S. 1144, 122 S.Ct. 1011, 151 L.Ed.2d 997 (2002), and civil cases cited therein.

SIGNED on this 17th day of August, 2007, at Alexandria, Louisiana.



Dee D. Drell
United States District Judge